

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 848 - HB 1193

February 14, 2023

SUMMARY OF BILL: Expands the offense of desecration of a venerated object to include knowingly or recklessly desecrating a place of worship or burial or a state or national flag.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Tennessee Code Annotated § 39-17-311(a)(1)-(2) establishes that a person commits the offense of desecration of a venerated object who intentionally desecrates:
 - A place of worship or burial; or
 - A state or national flag.
- Pursuant to Tenn. Code Ann. § 39-17-311(b)(1)-(2), intentionally desecrating a place or worship or burial is a Class E felony. Intentionally desecrating a state or national flag is a Class A misdemeanor.
- The proposed legislation expands the offense of desecration of a venerable object to include knowingly or recklessly desecrating a place of worship or burial or a state or national flag.
- Based on information provided by the Administrative Office of the Courts, there has been an average of 0.2 Class A misdemeanor convictions of intentionally desecrating a state or national flag in each of the last 10 years.
- Based upon information provided by the Department of Correction, there has been zero admissions for the Class E felony offense under Tenn. Code Ann. § 39-17-311 for intentionally desecrating a place or worship or burial since such violation was enhanced to a Class E felony in 2017.
- There will not be a sufficient change in the number of prosecutions for state or local government to experience any significant change in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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